

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-192-T - ORDER NO. 97-502 ✓
JUNE 10, 1997

IN RE: Waiver of Certain Regulations with) ORDER
 Regards to Household Goods Carriers.)
)

This matter comes before the Public Service Commission of South Carolina (the Commission) for discussion of the regulation of office and other moves under the Commission's authority to regulate the intrastate movement of household goods.

"Household goods" are defined in Regulation 103-210(1) as including the "personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals, or other establishments; and articles including objects of art, displays and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods."

The Federal Aviation Administration (FAA) Authorization Act of 1994 preempted the States from the regulation of intrastate transportation of property. The preemption specifically excluded

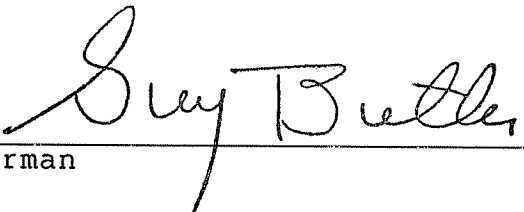
and did not apply to the transportation of household goods.

The ICC Termination Act of 1995 revised the definition of "household goods" to deregulate office and trade show moves. The Commission Staff takes the position that after the ICC Termination Act, the definition of "household goods" as used in connection with transportation now means only "personal effects and property used or to be used in a dwelling," and that movement of office furniture and other equipment and objects of art are no longer regulatable by this Commission.

We have examined this matter and the applicable Federal law and have determined that we agree with the Staff view. We therefore hold that we will regulate only the movement of household goods defined as "personal effects and property used or to be used in a dwelling." We will not regulate office or institutional moves. We believe that this is consistent with the intent of Congress.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)